

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Tianhong Zhang

Serial No.: 10/706,486

Filed: November 12, 2003

For: ***METHOD AND APPARATUS FOR
PROGRAMMABLE FIELD EMISSION
DISPLAY***

Group Art Unit: 2629

Examiner: Duc Q. Dinh

Examiner's phone: 571-272-7686

Atty. Dkt. No.: 872-0155US1

**CLARIFYING STATEMENT REGARDING NOVEMBER 27, 2007 OFFICE ACTION
RESPONSE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The undersigned received a telephone call from Quality Assurance agent Ms. Krista Zele on April 17, 2008. During that call, Ms. Zele raised a question concerning Applicant's November 27, 2007 office action response, and asked Applicant for clarification.

Ms. Zele was concerned with the Supplemental Declaration filed with the November 27, 2007 response, and in particular was concerned that the Declaration only made specific reference to amendments dated November 12, 2003 and August 28, 2006 ("earlier two responses"). Ms. Zele noticed that Applicant had also filed responses dated November 8, 2007 and November 27, 2007 ("later two responses"), and was unsure whether those later two responses contained new amendments not reflected in the earlier two responses.¹

The undersigned has reviewed the claim scope of the later two responses and finds them to be the same as the amendments made in the earlier August 28, 2006 response, to which the Supplemental Declaration specifically refers. This is not surprising as the later two responses comprised resubmissions of the August 28, 2006 response and were filed only to address matters

¹ If the later two responses did contain amendments not present in the earlier two responses, Ms. Zele was concerned that the Supplemental Declaration would be insufficient.

not impacting claim scope (such as the proper form of the claims amendments; issues concerns the declaration).

Because the later two responses did not change the claim scope of the August 28, 2006 response, and because the Supplemental Declaration refers to the August 28, 2006 response, *the Supplemental Declaration references all amendments of substance to the claim scope, and is therefore proper.*

Should any fees be due in connection with this response, this office is authorized to deduct such fees from Deposit Account No. 501922, referencing attorney docket 872-0155US1.

* * * * *

Respectfully submitted,

/TGL/

Date: **April 22, 2007**

Terril Lewis, Reg. No. 46,065

CUSTOMER NO. 29855

Wong, Cabello, Lutsch,
Rutherford & Brucculeri, L.L.P..
20333 SH 249. Suite 600
Houston, TX 77070
832/446-2405
Fax 832/446-2424